

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Stephen Nicholas Holmes,

Civ. No. 22-2985 (JWB/DJF)

Plaintiff,

v.

Reed Newkirk, *Ramsey County Corrections Officer, individually*; Armando Luna, *Ramsey County Corrections Officer, individually*; Scott Brommerich, *Ramsey County Corrections Officer, individually*; Zachary Rasmussen, *Ramsey County Corrections Officer, individually*; Shaun M. Delrosario, *Ramsey County Corrections Officer, individually*; and Ahmed Mohamed, *Ramsey County Corrections Officer, individually*,

Defendants.

**ORDER ACCEPTING
REPORT AND
RECOMMENDATION OF
MAGISTRATE JUDGE**

Stephen Nicholas Holmes, Pro Se.

Kevin S. Plaisance, Esq., and Kristine K. Nogosek, Esq., Ramsey County Attorney's Office, counsel for Defendants.

United States Magistrate Judge Dulce J. Foster issued a Report and Recommendation ("R&R") on November 27, 2023. (Doc. No. 44.) No objections have been filed to that R&R in the time permitted. Absent timely objections, the R&R is reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Upon review of the R&R, no clear error is found.

Based on the R&R of the Magistrate Judge, and on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation (Doc. No. 44) is **ACCEPTED**; and
2. Defendants' Motion to Dismiss (Doc. No.32) is **DENIED**.

Date: January 9, 2024

s/ Jerry W. Blackwell
JERRY W. BLACKWELL
United States District Judge